

**General Docket  
Court of Appeals, 2nd Circuit**

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**Court of Appeals Docket #:** 18-3160

**Docketed:** 10/23/2018  
**Termed:** 04/11/2019

**Nature of Suit:** 2895 STATUTES-FOIA 1974

Micolo v. United States Department of Ju

**Appeal From:** EDNY (CENTRAL ISLIP)

**Fee Status:** IFP Pending in USCA

**Case Type Information:**

- 1) Civil
- 2) United States
- 3) -

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**Originating Court Information:**

**District:** 0207-2 : [16-cv-5635](#)

**Trial Judge:** Joanna Seybert, U.S. District Judge

**Trial Judge:** A. Kathleen Tomlinson, U.S. Magistrate Judge

**Date Filed:** 10/03/2016

**Date Order/Judgment:**

09/27/2018

**Date NOA Filed:**

10/18/2018

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**Prior Cases:**

None

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**Current Cases:**

None

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**Panel Assignment:** Not available

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Marcus Anthony Micolo (State Prisoner: 03-A-3985)  
Plaintiff - Appellant

Marcus Anthony Micolo, -  
[NTC Pro Se]  
Clinton Correctional Facility

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P.O. Box 2001  
Dannemora, NY 12929

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United States Department of Justice  
Defendant - Appellee

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Marcus Anthony Micolo,

Plaintiff - Appellant,

v.

United States Department of Justice,

Defendant - Appellee.

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10/23/ 2018	<a href="#"><u>1</u></a> 19 pg, 551.2 KB	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Marcus Anthony Micolo, copy to pro-se appellant, FILED. [2418345] [18-3160] [Entered: 10/25/2018 12:18 PM]
10/23/ 2018	<a href="#"><u>2</u></a> 26 pg, 107.93 KB	DISTRICT COURT MEMORANDUM & ORDER, dated 09/27/2018, RECEIVED.[2418351] [18-3160] [Entered: 10/25/2018 12:22 PM]
10/23/ 2018	<a href="#"><u>3</u></a> 1 pg, 25.79 KB	DISTRICT COURT JUDGMENT, dated 09/27/2018, RECEIVED.[2418353] [18-3160] [Entered: 10/25/2018 12:23 PM]
10/23/ 2018	<a href="#"><u>4</u></a>	MOTION, to proceed in forma pauperis, on behalf of Appellant Marcus Anthony Micolo, FILED. Service date 10/15/2018 by US mail.[2418405] [18-3160] [Entered: 10/25/2018 12:53 PM]
10/23/ 2018	<a href="#"><u>5</u></a> 7 pg, 147.07 KB	ELECTRONIC INDEX, in lieu of record, FILED.[2418411] [18-3160] [Entered: 10/25/2018 12:55 PM]
10/25/ 2018	<a href="#"><u>6</u></a> 1 pg, 9.19 KB	INSTRUCTIONAL FORMS, to Pro Se litigant, SENT.[2418419] [18-3160] [Entered: 10/25/2018 01:00 PM]
10/25/ 2018	<a href="#"><u>7</u></a> 2 pg, 17.62 KB	DEFECTIVE DOCUMENT, motion to proceed in forma pauperis, [4], on behalf of Appellant Marcus Anthony Micolo, copy to pro-se appellant, FILED.[2418423] [18-3160] [Entered: 10/25/2018 01:02 PM]
10/29/ 2018	<a href="#"><u>9</u></a> 2 pg, 98.76 KB	NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellee United States Department of Justice, FILED. Service date 10/29/2018 by US mail. [2421084] [18-3160] [Entered: 10/29/2018 05:49 PM]
10/29/ 2018	<a href="#"><u>10</u></a> 2 pg, 98.89 KB	NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellee United States Department of Justice, FILED. Service date 10/29/2018 by US mail. [2421099] [18-3160] [Entered: 10/29/2018 06:21 PM]
10/30/ 2018	<a href="#"><u>11</u></a>	ATTORNEY, Megan J. Freismuth, <a href="#"><u>9</u></a> , in place of attorney Varuni Nelson, SUBSTITUTED. [2421246] [18-3160] [Entered: 10/30/2018 09:36 AM]
10/30/ 2018	<a href="#"><u>12</u></a> 2 pg, 136.05 KB	LETTER, dated 10/25/2018, on behalf of Appellant Marcus Anthony Micolo, request for forms to file a motion for IFP and counsel, RECEIVED. [2421767] [18-3160] [Entered: 10/30/2018 01:49 PM]
11/20/ 2018	<a href="#"><u>13</u></a> 1 pg, 36.7 KB	STRIKE ORDER, striking Appellant Marcus Anthony Micolo's motion to proceed in forma pauperis [4] from the docket, copy to pro-se appellant, FILED.[2438772] [18-3160] [Entered: 11/20/2018 04:15 PM]
11/20/ 2018	<a href="#"><u>14</u></a> 1 pg, 39.62 KB	ORDER, dated 11/20/2018, dismissing appeal by 12/11/2018, unless Appellant Marcus Anthony Micolo, submits fee or moves to proceed in forma pauperis, copy to pro-se appellant, FILED. [2438787] [18-3160] [Entered: 11/20/2018 04:18 PM]
11/20/ 2018	<a href="#"><u>15</u></a> 1 pg, 36.65 KB	ORDER, dated 11/20/2018, dismissing appeal by 12/11/2018, unless Appellant Marcus Anthony Micolo, submits form D-P, copy to pro-se appellant, FILED.[2438802] [18-3160] [Entered: 11/20/2018 04:22 PM]
11/20/ 2018	<a href="#"><u>16</u></a> 1 pg, 36.8 KB	ORDER, dated 11/20/2018, dismissing appeal by 12/11/2018, unless Appellant Marcus Anthony Micolo, submits an Acknowledgment and Notice of Appearance, copy to pro-se appellant, FILED.[2438810] [18-3160] [Entered: 11/20/2018 04:26 PM]

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11/27/ 2018	<a href="#">17</a> 23 pg, 1.66 MB	MOTION, to proceed in forma pauperis, for assignment of pro bono counsel, on behalf of Appellant Marcus Anthony Micolo, FILED. Service date 11/16/2018 by US mail.[2448488] [18-3160] [Entered: 12/04/2018 03:51 PM]
11/27/ 2018	<a href="#">18</a> 3 pg, 250.49 KB	FORM D-P, on behalf of Appellant Marcus Anthony Micolo, FILED. Service date 11/16/2018 by US mail.[2448495] [18-3160] [Entered: 12/04/2018 03:54 PM]
11/27/ 2018	<a href="#">19</a> 3 pg, 260 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE FORM, on behalf of Appellant Marcus Anthony Micolo, FILED. Service date 11/16/2018 by US mail.[2448504] [18-3160] [Entered: 12/04/2018 03:56 PM]
12/04/ 2018	20	CURED DEFECTIVE MOTION TO PROCEED IN FORMA PAUPERIS, <a href="#">17</a> , <a href="#">17</a> , on behalf of Appellant Marcus Anthony Micolo, FILED.[2448508] [18-3160] [Entered: 12/04/2018 03:57 PM]
03/19/ 2019	<a href="#">27</a> 2 pg, 97.92 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee United States Department of Justice, FILED. Service date 03/19/2019 by US mail. [2521419] [18-3160] [Entered: 03/19/2019 03:52 PM]
03/20/ 2019	28	ATTORNEY, Varuni Nelson for Appellee United States Department of Justice, in case 18-3160 , <a href="#">27</a> , ADDED.[2522021] [18-3160] [Entered: 03/20/2019 12:01 PM]
04/11/ 2019	<a href="#">30</a> 1 pg, 9.16 KB	NEW CASE MANAGER, Atasha Joseph, ASSIGNED.[2538279] [18-3160] [Entered: 04/11/2019 04:05 PM]
04/11/ 2019	<a href="#">31</a> 1 pg, 18.33 KB	MOTION ORDER, denying motion to proceed in forma pauperis <a href="#">17</a> filed by Appellant Marcus Anthony Micolo; denying motion for assignment of pro bono counsel <a href="#">17</a> filed by Appellant Marcus Anthony Micolo, by BDP, PWH, CFD, copy sent to pro se appellant, FILED. [2538393] [31] [18-3160] [Entered: 04/11/2019 04:57 PM]
04/11/ 2019	<a href="#">32</a> 1 pg, 18.33 KB	APPEAL, pursuant to court order, dated 04/11/2019, DISMISSED.[2538399] [18-3160] [Entered: 04/11/2019 05:00 PM]

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